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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,438	07/18/2003	Steven W. Trovinger	100110105-1	1722

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EXAMINER

BLAKE, CAROLYN T

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/621,438

Applicant(s)

TROVINGER, STEVEN W.

Examiner

Carolyn T. Blake

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-12, 14-17, 20-24 and 26 is/are pending in the application.
- 4a) Of the above claim(s) 2-5, 9, 16, 17 and 21-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7, 8, 10-12, 14, 15, 20 and 26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the amendment filed on April 10, 2006.
2. The text of those sections in Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 1, 7, 8, 10, 12, 20, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hill (5,397,106) in view of Malachowski et al (5,219,159).

Hill discloses a sheet material trimming apparatus (see FIG 1) comprising: a first cutter (12') arranged to trim an edge (11) of a sheet material (1) in a first direction (shown by the arrows in the first step); and a second cutter (17') arranged to trim an edge (7) of a sheet material (1) in a second direction (shown by the arrows in the second step) different from the first direction. Hill fails to disclose a drive roller as claimed. However, Malachowski et al disclose a drive system having a drive roller (24) for advancing sheet material (100) in a first direction by rotation of the drive roller (24) and for translating the sheet material (100) in a second direction by translation of the drive roller (24). See FIGS 1A-1C. This drive system aligns sheets that are out of alignment. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the Malachowski et al drive system as a station on the Hill apparatus prior to the cutting steps for the purpose of aligning sheets before cutting.

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4. Claims 11, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hill in view of Malachowski as applied to claims 1 and 12 above, and further in view of Kamprath et al (5,278,624).

The modified Hill device teaches a device substantially as claimed, but fails to disclose the drive shaft includes an external thread and the drive roller includes an internal thread. However, Kamprath et al disclose a drive system for moving and aligning sheets comprising a drive shaft (48) with an external thread (52) and a drive roller (14) with an internal thread. If unrestrained, the roller would translate with shaft rotation. However, with a holding or stopping mechanism, the roller rotates in a single location. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an external thread on the drive shaft and internal thread on the roller of the modified Hill device, as taught by Kamprath et al, and include appropriate stops on the extents for the purpose of better controlling rotational and translational movement of the roller.

Response to Arguments

5. Applicant's arguments filed April 10, 2006 have been fully considered but they are not persuasive.

Applicant argues the prior art cited does not teach a device wherein the drive roller is mounted on a drive shaft and rotation of the drive shaft acts to both rotate and translate the drive roller. Specifically, Applicant argues the rollers of Malachowski et al are translated by a lateral drive mechanism which translates the entire frame and rod assembly upon which the rollers are mounted, and thus the rotation of the drive shaft

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acts only to rotate the drive roller. This argument is not understood. When the drive mechanism of Malachowski et al moves the entire frame and rod (drive shaft), the rod causes the rollers to move as claimed because the rollers are mounted to the rod.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn T. Blake whose telephone number is (571) 272-4503. The examiner can normally be reached on Monday to Friday, 8:00 AM to 5:30 PM, alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

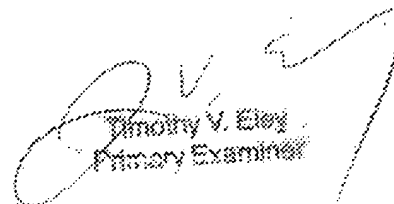
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CB

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June 13, 2006



Timothy V. Eley
Primary Examiner